

Remarks

Claims 1-2, 4-13, 15-16 and 21 are pending in this application. Claim 21 has been amended to correct a dependency issue.

Restriction Under 35 USC §112

The Examiner has rejected claim 21 under 35 USC §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Examiner has stated that claim 21 is indefinite because it depends from cancelled claim 17. Claim 21, as amended, now depends on pending claim 12.

Restriction Under 35 USC §§102 and 103

Claims 1, 2, 11, 12 and 13 are rejected under 35 USC §102(e) as being anticipated by WO 95/00333 which claims the priority of U.S. Application No. 08/082,226, filed June 24, 1993.

In response to the above rejections, applicants note that the present application has been amended to show its complete file history. By way of this amendment applicants have claimed priority under 35 USC §102 from U.S. Application No. 08/082,226, filed June 24, 1993, in favor of continuation-in-part application, U.S. Application No. 8/481,685, filed June 7, 1995.

Prior Application No. 08/082,226 has at least one common inventor with the present application. Specifically, Application No. 08/082,226 has the following common inventors with the present invention:

Keith D. Lind
George H. Walbrun
Johnny Q. Zheng

As set forth in the amendment submitted herewith, the specification has been amended to recite that the application claims priority from Application No. 08/082,226.

The specification of Application No. 08/082,226 discloses the subject matter of the application "in such full, clear, concise and exact terms as to enable any person skilled in the art to which it pertains... to make and use the same," as required by 35 USC §122.

Claims 4-10, 15 and 16 are rejected to under 35 USC §103(a) as being unpatentable over WO 95/00333.

Please see applicant's previous remarks regarding this reference.

Claims 1, 2, 11, 12 and 13 are rejected to under 35 USC §102(e) as being anticipated by Georgelos, U.S. Patent No. 5,397,613.

In response to the above rejections, applicants have submitted herewith a copy of the Declaration of Prior Invention to Overcome Cited Patent or Publication Under 37 CFR §1.131. As set forth in the Declaration, the invention of this subject matter by the named inventors is prior to the effective date of the Georgelos reference under 35 USC §102(e), July 12, 1993. The original Declaration was submitted on August 26, 1996, and is part of the record for U.S. Application No. 08/481,685.

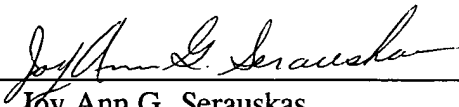
Claims 4-10, 15 and 16 are rejected to under 35 USC §103(a) as being unpatentable over Georgelos, U.S. Patent No. 5,397,613.

Please see applicant's previous remarks regarding this reference.

In view of the above amendment to the specification, the Declaration of Lind, Galloway, Zheng, Walbrun and Kittel under 35 CFR §1.131, and the accompanying remarks, applicants believe that all rejections which were contained in the Office Action have been overcome. Therefore allowance of the pending claims is respectfully solicited.

Respectfully submitted,

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